



Manuel Borrego, Chief of Police



Chief Manuel Borrego



Deputy Chief Laura Drury



Deputy Chief R.W. Smith

### **Mission Statement**

*"The Mission of the Wichita Falls Police Department is to help preserve a better quality of life through a partnership with the citizens based on unbiased law enforcement and a desire to serve."*

Glenn Barham, Honorable Mayor  
Dorothy Roberts-Burns, Councilor at Large  
Michael Smith, Councilor, District 1  
Annetta Pope-Dotson, Councilor, District 2  
Brian Hooker, Councilor, District 3  
Tim Ingle, Councilor, District 4  
Mary Ward, Councilor, District 5  
Darron Leiker, City Manager

February 28, 2013

### Wichita Falls Police Department's Annual Biased Based Profiling Report

The following report is for your review only; no further action needs to be taken by Council. The analysis of the Wichita Falls Police Department's statistical report showed the Department, based on the captured data, is in compliance with applicable Texas laws regarding Biased Based (Racial) Profiling. Biased Based Profiling report is based on below listed criteria.

1. Contact data- race of individual stopped on traffic
2. Was race of driver known prior to stop
3. Consent/non-consent searches during traffic stop

Deficiency Reporting Issue: While our electronic traffic citations are fully compliant with Code of Criminal Procedure reporting requirements under Chapter 2 and 3, our hand written citations does not currently capture all the required data for reporting purposes. This is being corrected and the hand written citations will be fully compliant with biased based profiling requirements for future reporting.

The Wichita Falls Police Department has collected traffic citation-based contact data for the purpose of identifying and addressing any potential or perceived concerns regarding biased based profiling practices among police officers. Our goal is to maintain the confidence and support of our citizens as we fulfill our mission to serve and protect our community.

Wichita Falls Police Department personnel are expected to police in a proactive manner and to aggressively investigate suspected violations of the law. Officers are expected to actively enforce local, state, and federal laws in a responsible and professional manner, without regard to race, ethnicity, national origin, gender, sexual orientation or any other identifiable group.

We are certain that the information made available in this report will instill the confidence from our community that their police department serves their needs with fairness and equitable treatment. The positive results of this report will serve as a basis to reinforce our committed relationship with our citizens.

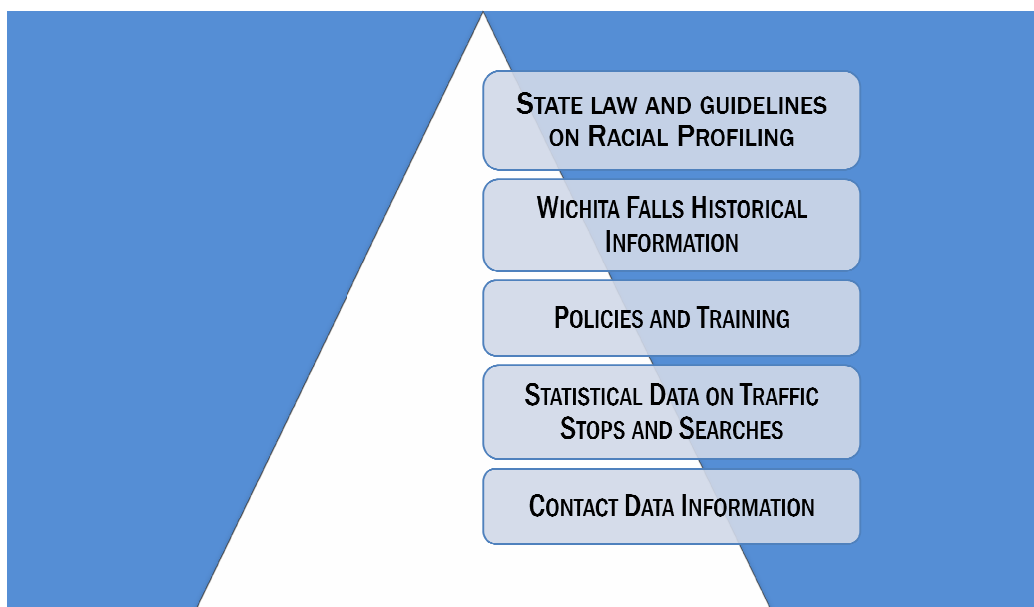
  
Manuel Borrego  
Chief of Police



February 28, 2013



## A look at Wichita Falls' most Comprehensive Racial Profiling Dataset



Wichita Falls, Texas

# Contact Data Report

Prepared by the  
Wichita Falls, Texas Police  
Department  
Office of Professional Conduct

## Wichita Falls City Council

**Glenn Barham**  
Mayor

**Dorothy Roberts-Burns**  
Councilor At Large  
Mayor Pro Tem

**Michael Smith**  
Councilor, District 1

**Annetta Pope-Dotson**  
Councilor, District 2

**Brian Hooker**  
Councilor, District 3

**Tim Ingle**  
Councilor, District 4

**Mary Ward**  
Councilor, District 5

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### ***About the Cover***

A view of the  
Wichita Falls Police Department  
610 Holliday  
Wichita Falls, Texas 76301

## **Analysis and Interpretation of Data**

The data in this report contains information on police/citizen contacts where a citation and/or an arrest were made after a traffic stop between January 1, 2012 and December 31, 2012. The information presented is open to multiple interpretations. Although the ACLU recommends that the data be compared to households with access to vehicles, this does not include the commuters from outlying communities or travelers through Wichita Falls. This also does not include commercial vehicles that operate in Wichita Falls on a daily basis.

Part of the data required to be collected are the number of searches conducted on the contacts. This data is then compared by race/ethnicity. The ACLU uses a variance rate based on the percentages of contacts compared to the percentage of searches. This rate has been included in this report even though it is not a requirement of the law.

The Census data that is used for the Texas demographics is from an estimated population for 2011 which was acquired from *quickfacts.census.gov*. The percentages used throughout the charts are from the actual 2010 Census statistics. These figures were used to get an approximate population count for each race/ethnicity.

Analysis based on the comparison to households with access to vehicles appears to show that Wichita Falls Police Department made contact with all segments of society except Middle Eastern Descent. Those individuals were included with other races/ethnicity such as White or Hispanic for the purposes of this report.

Asian and Native American Indian contact rates does not appear to be proportional to Black, Hispanic and/or White contact rates. This is due to the number of subjects in these groups being stopped. If, for example, only one person was stopped and arrested from a particular group, the overall statistics would show a one hundred percent arrest rate for that group. The number of contacts for Blacks, Hispanics, and Whites closely parallel to the racial makeup of the population of Wichita Falls.

The data also shows that stops were made for violations of the law rather than based on the race or ethnicity of all individuals. During the year there were calls for service and alerts for specific suspects involved in crimes. This is where the officer is looking for a suspect in a particular crime. Violations might include but are not limited to violations of the Penal Code, DWI, or City Ordinances. In these cases usually the race is given to the officer and is used as a factor in the initial stop. This is allowed by law. There is no evidence that race is used as the single factor for a traffic stop.



# Three-Year Data Comparison

## Comparison of Three-Year Traffic-Related Contact Information where arrests were made between January 1, 2010 - December 31, 2012

*(Beginning January 1, 2011 TCLEOSE required all cities report their statistics on Racial Profiling from the previous year. Tier I Reporting, as it is referred to, is described as departments that have vehicles equipped with video and audio equipment and these transactions are maintained for a period of 90 days.)*

Race / Ethnicity *	Traffic - Related Contacts			Searches			Arrests		
	2010	2011	2012	2010	2011	2012	2010	2011	2012
	%	%	%	%	%	%	%	%	%
Asian	1%	1%	1%	0	0	0	0	0	0
Black	13%	13%	13%	29	32%	31%	26%	30%	29%
Hispanic	9%	8%	8%	22	23%	21%	23%	22%	21%
Middle Eastern Descent	0	0	0	0	0	0	0	0	0
Native American	1%	0	0	0	0	0	0	0	0
Other	0	1%	1	0	0	0	0	0	0
White	76%	77%	77%	48	45%	47%	51%	47%	50%
<b>** Total Percentage</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%

\* Race/Ethnicity is defined as being of a particular descent. Included here are the categories used under S.B. 1074: Asian, Black, Hispanic, Native American, and White. Native American includes Alaskan Natives and any peoples of North, Central, or South America who maintain tribal affiliation. In 2010 Middle Eastern Descent was added to the list of races that are required to be reported. The "Other" category includes individuals with an unknown race identifiable by the officers as well as for persons that identify themselves as multi-racial.

\*\* Figures have been rounded.

# TRAFFIC STOP 2012 CONTACT DATA REPORT

## YEARLY TOTALS

Race/Ethnicity	Contacts *		Searches		Variance **	Race Identifiable			Consensual Searches		Probable Cause Searches		Custody Arrests	
	Count	%	Count	%	Rate **	No	Yes	No %	Count	%	Count	%	Count	%
Asian	158	1%	2	0	0.23	1	94	1	0	0	2	0	1	0
Black	2040	13%	269	30%	2.43	190	1093	14	102	36%	167	28%	224	29%
Hispanic	1347	8%	184	21%	2.52	146	938	12	63	22%	121	20%	166	21%
Middle Eastern	0	0	0	0	0.00	0	0	0	0	0	0	0	0	0
Native American	49	0	3	0	1.13	1	34	2	0	0	3	0%	1	0
Other	142	1%	1	0	0.13	0	117	2	1	0	0	0	0	0
White	12543	77%	425	48%	0.62	370	5324	70	117	41%	308	51%	392	50%
Total	16279	100%	884	100%		708	7600	100%	283	99%	601	100%	784	100%

\* Percentages are rounded to the nearest whole percent so the total may not equal 100%

\*\* Search analysis using the ACLU calculation formula.

\*\* ACLU calculation formula equals the percentage of searched divided by the contacts.

## 2012 - REASONS FOR TRAFFIC STOPS

PAGE 1 OF 2

	ASIAN COUNT	BLACK COUNT	HISPANIC COUNT	AM INDIAN COUNT	MID EAST COUNT	UNKNOWN RACE	WHITE COUNT	Totals
BICYCLE VIOLATIONS		1	2				2	5
CHANGED LANE WHEN UNSAFE			1				13	14
CROSSING PROPERTY		1					5	6
DEFECTIVE EQUIPMENT		1	3				16	20
DISREGARD DOUBLE WHITE LINES	2	5	2	2			61	72
DISREGARDING BARRIER/DIVIDING SPACE ON HIGHWAY							1	1
DISREGARDING DO NOT ENTER SIGN		2	3				28	33
DISREGARDING FLASHING RED SIGNAL	1	2	1			1	2	7
DISREGARDING MUST TURN LEFT							1	1
DISREGARDING MUST TURN RIGHT		1					5	6
DISREGARDING NO LANE CHANGE SIGN			2					2
DISREGARDING NO LEFT TURN		7	3				9	19
DISREGARDING NO PASSING ZONE							2	2
DISREGARDING POLICE OFFICER							1	1
DISREGARDING RAILROAD CROSSING GATE		5	3			1	23	32
DISREGARDING SCHOOL CROSSING GUARD		1	1				3	5
DRIVERS LICENSE VIOLATIONS	4	253	170	2		17	409	855
DRIVER'S VIEW OBSTRUCTED BY OBJECT ON WINDOWS							1	1
DRIVING IN CITY PARK							1	1
DRIVING LEFT OF VENTER NEAR/IN INTERSECTION							1	1
DRIVING ON SHOULDER OF ROADWAY							1	1
DRIVING WITHOUT LIGHTS WHEN REQUIRED							1	1
DRIVING WRONG WAY IN DESIGNATED LANE			1				2	3
DRIVING WRONG WAY ON ONE-WAY ROADWAY			2			1	11	14
INSPECTION STICKER VIOLATION	15	215	104	6		11	1655	2006
FAILURE TO DIM HEADLIGHTS/APPROACHING VEHICLE							1	1
FAILURE TO DRIVE IN SINGLE LANE							4	4
FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY	2	91	43	4		5	327	472
FAILURE TO PROPERLY SIGNAL LANE CHANGE OR TURN		12	12				26	50
FAILURE TO STOP	11	79	61	2		5	484	642



## 2012 - REASONS FOR TRAFFIC STOPS

PAGE 2 OF 2

	ASIAN COUNT	BLACK COUNT	HISPANIC COUNT	AM INDIAN COUNT	MID EAST COUNT	UNKNOWN RACE	WHITE COUNT	Totals
FAILURE TO YIELD	1	3	3	1			15	23
FOLLOWING TOO CLOSELY							5	5
ILLEGAL PASSING ON RIGHT							1	1
IMPEDING TRAFFIC			1				4	5
IMPROPER OR FLASHING LIGHTS			1					1
IMPROPER PASSING							1	1
LEAVE UNATTENDED CHILD IN MOTOR VEHICLE		2					3	5
MOVING (TRAFFIC) (MISC)		3					3	6
NO LICENSE PLATE LIGHT			3				5	8
NO TURN SIGNAL LAMPS WHEN REQUIRED		1						1
OBSCURED LICENSE PLATE							1	1
OBSTRUCTED DRIVER'S VIEW							1	1
OBSTRUCTING TRAFFIC							1	1
PARK/STOP FACING TRAFFIC				1		11	15	27
PASSING STATIONARY EMERGENCY VEHICLE		1					4	5
PASSING STOPPED SCHOOL BUS		2	1				4	7
RAN RED LIGHT	3	24	25	1		2	153	208
RECKLESS DRIVING							1	1
REGISTRATION VIOLATION	6	95	37			6	752	896
RIGHT TURN PROHIBITED RED LIGHT							1	1
SEATBELT VIOLATION	5	94	67			5	617	788
SPEEDING	83	854	532	22		65	6375	7931
SQUEALING TIRES							10	10
TURNING LEFT FROM WRONG LANE		17	12			4	106	139
UNSECURED LOAD		1					4	5
USE OF CELL PHONE WHERE PROHIBITED (School Zone)		5	5				44	54
U-TURN ILLEGAL OR IMPROPER		2					6	8
<b>TOTALS</b>	<b>133</b>	<b>1780</b>	<b>1101</b>	<b>41</b>	<b>0</b>	<b>134</b>	<b>11228</b>	<b>14417</b>

# Wichita Falls Police Department

## Complaints of Allegations of Racism, Discrimination or Harassment Based on Race during Traffic Stops

### Report on Complaints

The following table contains data regarding officers that have been the subject of a complaint, during the time period January 1, 2011 – December 31, 2011 based on allegations outlining possible violations related to the Texas Racial Profiling Law. The final disposition of the case is also included in this report.

☐ A check indicates that the Wichita Falls Police Department has not received any complaints, as outlined in the law, on any members of its police force, for having violated S.R. 1074, The Texas Racial Profiling Law.

Case #	Occurred	Reported	Disposition	Type
2012-008	05-31-12	05-31-12	Unfounded	Traffic
2012-006	04-26-12	05-01-12	Unfounded	Traffic

Additional

Comments:

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## **Texas Racial Profiling Law**

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### **Wichita Falls Complies with Senate Bill 1074**

The Wichita Falls Police Department supports the Texas Legislature's mandate prohibiting racial profiling. Texas CCP, Chapter 2 and 3:

- Specifically prohibits racial profiling by police officers;
- Mandates that each law enforcement agency in the state “adopt a detailed written policy on racial profiling;” and
- Requires law enforcement agencies to collect race data for traffic stops and creates a process by which citizens can file complaints without being targeted through racial profiling.

From the perspective of the bill's supporters, mandated data collection was not intended to be a solution to racial profiling in Texas but rather a first step in a longer fight. The legislation was intended to provide a strong data-based tool that civil rights organizations could use to effectively advocate for more specific policy responses to racial profiling.

Beginning in 2011 the Wichita Falls Police Department began instituting the guidelines set forth by Texas Best Practices which expanded the definition of Racial Profiling and it is now referred to as Bias-Based Profiling. The definition is defined as law enforcement initiated action based on an individual's race, national origin, or ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than on the individual's behavior or on information identifying the individual as having engaged in criminal activity.

Throughout 2012 the Wichita Falls Police Department spent time monitoring the internal reporting and complaint process. Attention was given to officers of the Department on proper procedures to record and document contacts.



In 2001 the Texas Legislature addressed the issue of racial profiling in policing and passed the Texas Racial Profiling Law (SB 1074). This legislation is found in the Texas Code of Criminal Procedure in Chapters 2 and Chapters 3. House Bill 3389 changed several portions of the Code of Criminal Procedures Article 2.131 – 2.138. The major change now has the requirement in the law that all agencies must report racial profiling data to TCLEOSE as well as their governing body.

The links listed below are for your convenience to review the pages of the Texas Code of Criminal Procedure that pertains to racial profiling rules and reporting requirements.

## CODE OF CRIMINAL PROCEDURE

### TITLE 1. CODE OF CRIMINAL PROCEDURE

#### CHAPTER 2. GENERAL DUTIES OF OFFICERS

<http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.2.htm#2.131>

Art. 2.131. RACIAL PROFILING PROHIBITED.

Art. 2.132. LAW ENFORCEMENT POLICY ON RACIAL PROFILING.

Art. 2.133. REPORTS REQUIRED FOR MOTOR VEHICLE STOPS.

Art. 2.134. COMPILATION AND ANALYSIS OF INFORMATION COLLECTED.

Art. 2.135. PARTIAL EXEMPTION FOR AGENCIES USING VIDEO AND AUDIO EQUIPMENT.

## CODE OF CRIMINAL PROCEDURE

### TITLE 1. CODE OF CRIMINAL PROCEDURE

#### CHAPTER 3. DEFINITIONS

<http://www.statutes.legis.state.tx.us/Docs/CR/htm/CR.3.htm#3.05>

Art. 3.05. RACIAL PROFILING.

The Wichita Fall is a partially exempt agency placing us as a Tier 1 reporting agency.

#### Racial Profiling Reporting To TCLEOSE

[http://www.tcleose.state.tx.us/content/racial\\_profile\\_reports.cfm](http://www.tcleose.state.tx.us/content/racial_profile_reports.cfm)

#### Tier 1 Reporting

Law enforcement agencies that routinely perform traffic stops or motor vehicle stops and who have their vehicles that routinely perform theses stops equipped with video and audio equipment can report under CCP 2.135.

## **Filing a Complaint if Racial Profiling Occurs**

Police Officers are granted a public trust that requires that they consistently demonstrate the highest degree of integrity. With this in mind, the Wichita Falls Police Department has established Codes of Conduct which sets forth the standards requiring officers to maintain a high level of personal and official behavior in order to command the respect and confidence of the public.

When members of the public believe that a police officer has engaged in misconduct, to include a violation of the racial profiling laws, they may report this misconduct to the Police Department. There are several ways this could be reported.

1. A Report of Service form can be obtained by going on the City Website. Enter the following address in your search engine in your computer:  
<http://www.wichitafallstx.gov/documents/2/83/Police%20Complaint%20Form.PDF>
2. Fill out a Report of Service Form which can be found in the front lobby or at the front desk of the Police Department, 610 Holliday,
3. Speak to a Shift Supervisor by calling (940) 720-5000,
4. Call the Office of Professional Conduct at (940) 761-7723,
5. Or mail a letter to the Police Department at 610 Holliday, Wichita Falls, TX 76301.

The Report of Service form must be completed and returned to the Police Department either by mail or by returning it to the front desk of the Police Department. A signature is required to file a formal complaint so the complainant will be asked to sign their form if they have not already done so. More information on this is included in this report.

The function of the OPC division of the Wichita Falls Police Department is to investigate alleged violations of the departmental policies and procedures by members of the Department. The complaints will either be investigated internally by the OPC Commander or assigned directly to the employee's Commander.

The OPC division conducts only administrative investigations and any statements taken, or allegation made in that office will have no effect on any criminal proceedings pending against the complainant. The OPC division does not investigate criminal allegations.

The complete investigation and final disposition of a case is all handled within the Police Department. All information obtained and found during the course of the investigation is kept confidential to the extent allowed by law. It may take up to 30 working days to investigate each case.



After the case has been completed, it is forwarded to the Office of the Chief of Police for review and final disposition. Once the disposition is made on the case, the complainant will be notified in writing. Every member of the Wichita Falls Police Department has a right to appeal disciplinary action taken against him/her. The complainant and any witnesses may be requested or subpoenaed to testify in person at a Disciplinary or Appeal Hearing. This appearance will not be mandatory, but may affect the outcome of the hearing.

# **Wichita Falls Police Department**

## **CCP Requirements**

According to Article 2.132, CCP, “The racial profiling policy must:”

- Clearly define acts constituting racial profiling using the following definition: “Racial Profiling, means a law enforcement-initiated action based on an individual’s race, ethnicity, or national origin, rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity.”
- Strictly prohibits peace officers employed by the agency from engaging in racial profiling.
- Implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual.
- Provide public education relating to the agency’s complaint process.
- Require appropriate corrective action to be taken against a peace officer employed by the agency who, after an investigation, is shown to have engaged in racial profiling in violation of the agency’s policy adopted under this article.
- Require a collection of information relating to traffic stops in which a citation is issued, and arrest(s) are made resulting from those traffic stops, including information relating to:
  - The race or ethnicity of the individual detained; and whether a search was conducted and, if so, whether the person detained consented to the search.
- Require the agency to submit to the governing body of each county or municipality served by the agency an annual report of the information collected above.
- If a law enforcement agency installs video or audio equipment, the policy must include standards for reviewing video and audio documentation.

The Wichita Falls Police Department follows the guidelines set forth in the Texas Best Practices which meets or exceeds all of the above listed requirements under Article 2.132, CCP. These changes were made in General Order 100-059 on October 7, 2011.

Under this change, racial profiling is referred to as bias-based profiling. It is defined as law enforcement initiated action based on an individual’s race, national origin, or ethnic background, gender, sexual orientation, religion, economic status, age, cultural group, or any other identifiable group rather than on the individual’s behavior or on information identifying the individual as having engaged in criminal activity.



**Manuel Borrego, Chief of Police**

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Mr. \_\_\_\_\_

December 31, 2012

Wichita Falls, TX

Dear Mr. \_\_\_\_\_,

An investigation of the complaint filed by you against Officer \_\_\_\_\_ has been completed.

The Wichita Falls Police Department appreciates you notifying us about this incident. Also your cooperation with this investigation was greatly appreciated. As a result of this investigation the Department shall be taking the appropriate action warranted by the findings of the investigation.

Should you have questions concerning this investigation, please feel free to contact me at (940) 720-5000.

\_\_\_\_\_  
Lt. \_\_\_\_\_

Manuel Borrego  
Chief of Police



## Complimenting an Employee

There are times that Officers and employees of the Wichita Falls Police Department go above and beyond their call for duty. Law Enforcement employees appreciate it when their good deeds are noticed. Many times officers are remembered for the traffic tickets they issue or the arrest they made, and not for the helping hands they extend every day.

If an officer or employee of the Wichita Falls Police Department provides services that you wish to thank them for, or commend them for, please fill out the Report of Service form provided in the lobby of the Police Station or write a letter to the Chief. We will see that that employee receives the form or the letter and that a copy is placed in their personnel folder.

Just a small note of thanks or a positive comment goes a long way to boost the morale of not only the involved employee, but also those around them the employees are more positive about themselves and the services they provide.

***Report of Service forms can be turned into the Police Department at the front desk, phoned in, turned in to a supervisor, or mailed to the Wichita Falls Police Department at the following address:***

**Wichita Falls Police Department  
610 Holliday  
Wichita Falls, TX 76301  
(940) 761-7723  
(940) 720-5000**

The Wichita Falls Police Department offers a Citizen Ride-a-Long program. This is an opportunity for citizens to ride with an on-duty patrol officer. For more information call the Community Services Office at 720-5059.

## Wichita Falls Police Department

Chief of Police	(940) 721-7732
Communications	(940) 720-5000
Communications Supervisor	(940) 720-5063
Community Services Office	(940) 720-5016
Crime Prevention	(940) 720-5019
Crime Stoppers	(940) 322-9888 (800) 322-9888
Records Section	(940) 761-7782
Criminal Investigations Section (Detectives)	(940) 761-7762
Juvenile Unit	(940) 761-7762
Narcotics Section	(940) 761-7720
Office of Professional Conduct (Internal Affairs)	(940) 761-7723
Patrol Supervisors	(940) 720-5000
Patrol Checks	(940) 761-7792
Property / Evidence	(940) 761-7798
Public Information Officer	(940) 720-5016
Statistics	(940) 761-7787
Traffic Section	(940) 761-6862 (409) 761-7791
Training Section	(940) 720-5059
All others not listed	(940) 720-5000

### IMPORTANT NUMBERS

**Emergency 911**  
**Information Desk (940) 761-7792**  
**Accident Records (940) 761-7786**



## Citizen Complaint Procedures

How do I file a complaint against an officer or employee of the Wichita Falls Police Department, and how are those complaints handled?

## Complimenting Employees Procedures

How do I compliment or thank an Officer or an employee of the Wichita Falls Police Department for a job well done?

***The answer to both questions is by using a Report of Service form, available in the lobby or the front desk of the Police Station, or from any on-duty supervisor. These forms are used for complaints and compliments.***

**Wichita Falls Police Department  
Office of Professional Conduct  
(940) 761-7723  
24-hour number, (940) 720-5000**

## Complaint Investigations

The Wichita Falls Police Department is committed to fair, efficient and impartial law enforcement. Any misconduct by Department employees must be detected, thoroughly investigated, and properly adjudicated to assure the maintenance of these qualities. A police department is often evaluated and judged by the conduct of individual employees. When an informed public knows its Police Department honestly and fairly investigates and adjudicates all allegations of misconduct against its employees the community develops trust in its Police Department. At the same time employees must be protected against false allegations of misconduct. This can only be accomplished through a consistently thorough investigative process.

The Report of Service forms are available to make complaints. They can also be phoned in (a signature will be required at a later date) or a letter can be mailed to the Police Department. Please insure it is signed.

## Frequently Asked Questions

**Who do I talk to first?** The Office of Professional Conduct is available during regular business hours or you may make a complaint to any on-duty supervisor. The Chief is notified of all complaints after they are filed.

**Who will investigate my complaint?** The Office of Professional Conduct investigates some complaints and some are investigated by the employee's Commander. The seriousness of a complaint is based on guidelines from the Chief.

**What if I am under 17 years of age?** You still have the right to make a complaint with the assistance of a responsible adult.

**How will I know what happens to my complaint?** You will be notified when the investigation has been completed. This does not apply to anonymous complaints.

**Does my complaint have to be in writing?** Yes. Before a complaint can be looked into formally, the complaint must be in writing. A signature and date must also be included.

**Will the employee know who complained on them?** The employee is notified who complained on them and what the complaint is about. This gives the employee an opportunity to give their side of the story. Other information about the investigation is kept confidential and the employee does not have access to the information in the investigation.

**Complainants should not be concerned with retribution for making a legitimate complaint. Any conduct of this nature by an employee will not be tolerated. There are policies in place to prevent such conduct. The supervisor of the employee can explain many complaints. If you wish to talk to a supervisor they will attempt to resolve the complaint informally. You may still file a complaint if you are not satisfied with their response.**

**Wichita Falls Police Department  
Office of Professional Conduct  
(940) 761-7723  
24-hour number, (940) 720-5000**

## Additional Information

*The filing of a formal complaint against an employee of the Wichita Falls Police Department by you institutes an administrative investigation, which could possibly result in disciplinary action being taken against the employee.*

**Therefore:** A person who makes a false statement under oath concerning a complaint filed against a law enforcement officer as required by Chapter 614, Subchapter B in the Government Code, with intent to deceive and knowledge of the statement's meaning, is guilty of aggravated perjury under Section 37.03 of the Texas Penal Code if he/she has knowledge of the content of the complaint, the purpose of the filing, and the official character of the investigation conducted in connection therewith, and if the statement is material.

Complainants who have current criminal or traffic charges pending should be aware that the internal review process deals solely with Department policy matters and the conduct of Department employees. **Regardless of the outcome of a complaint investigation, existing criminal or traffic charges must be dealt with through the proper courts.**

The Wichita Falls Police Department realizes that confusion, different perceptions, or the timeliness of information sometimes will result in descriptions that produce different versions of the same incident. This is common in all police work; however a deliberate making of a report that the complainant knows to be false or misleading may result in criminal or civil action against the complainant.

## Wichita Falls Police Department General Orders

The Wichita Falls Police Department has developed departmental General Orders as it pertains to the Biased Based (Racial) Profiling requirements set forth by the Texas Legislature. Policy development also ensures that Wichita Falls Police Officers and Administration are operating within guidelines of the Code of Criminal Procedure related to:

1. **General Order 100.059** Biased Based Profiling (Racial Profiling)

Purpose of this General Order is to reaffirm the Wichita Falls Police Department's commitment to unbiased policing in all its encounters between Officers and any person. A peace officer may not engage in racial profiling.

2. **General Order 103.002** Citizen Complaints, Office of Professional Conduct

Purpose of this General Orders is to implement a process by which an individual may file a complaint with the agency if the individual believes that a peace officer employed by the agency has engaged in racial profiling with respect to the individual

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3. **General Order 200.054** Mobile Video and Digital Audio Recording Equipment

Purpose is to record visually or by audio recording, traffic stops made by Wichita Falls Police Officers to ensure compliance of Legislative directives under the Code of Criminal Procedures and that biased based profiling is not occurring.

## **Review of Videotapes, Audio Recordings Media and Digital Evidence System**

Each shift commander is responsible for seeing that supervisors, as required by General Order 200.054 policy, review videotapes, audio recordings and in-car digital recordings. Each time the videotape is removed from a vehicle and replaced with a new tape, the supervisor reviews the videotape. This is documented on a form for the entire year.

The in-car digital recording is downloaded into the police department's main server and reviewed by the supervisor. The audio recording media is downloaded on a weekly basis and reviewed by the supervisor.

Due to the large amount of documentation created from these reviews, this documentation is not included in this report.

Each patrol shift and traffic unit continually monitors or reviews videotapes, in-car digital and audio recordings in compliance with this policy.

## **Racial Profiling Course**

All sworn officers who graduated from the Police Academy prior to 2001 attended the Racial Profiling course between 2001 and 2005. The officers that graduated from the Police Academy after 2001 attended the course while in the academy.

# **Wichita Falls Police Department**

## **Contact Information**

### **Chief of Police**

Manuel Borrego  
610 Holiday  
Wichita Falls, TX 76301  
(940) 761-7732

### **Office of Professional Standards**

Lt. Karl Lillie	Sgt. Scott Vaughn
710 Flood St	610 Holliday
Wichita Falls, TX 76301	Wichita Falls, TX 76301
(940) 720-5028	(940) 761-7637

### **Office of Professional Conduct**

Lt. Richard Garza  
610 Holiday  
Wichita Falls, TX 76301  
(940) 761-7723

### **Training Section**

Sgt. Eddie Haisten  
710 Flood St  
Wichita Falls, TX 76301  
(940) 720-5038